

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN**

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JESUS RANGEL,

Plaintiff,

Case No.: 19-cv-0451

v.

JESSICA S. LORUM, NIEL THORESON and  
WILLIAM FRANCIS,

Defendants.

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**JOINT STIPULATION AS TO RULE 26(f) DISCOVERY PLAN**

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The parties, by and through their undersigned counsel, submit the following stipulation, pursuant to Rule 26(f) of the Federal Rules of Civil Procedure and pursuant to this Court's September 19, 2023 Order (Dkt. 58) with regards to scheduling matter.

**I. PROPOSED DISCOVERY PLAN**

**A. Initial Disclosures**

The parties already have exchanged initial disclosures pursuant to Rule 26(a)(1). Supplementations are due as required and in accordance with the provisions of Rule 26(e).

**B. Amendment of Pleadings**

The parties agree that December 4, 2023 be the deadline to amend pleadings.

**C. Nature of Discovery**

The parties jointly anticipate discovery may include written interrogatories, requests for production of documents, requests for admissions, lay witness depositions, and expert depositions.

1. Discovery may be needed regarding the following subjects: the factual circumstances regarding the subject incident, policies, and procedures of the Defendants, liability, and damages.

2. The Parties do not anticipate that discovery will need to be conducted in phases or be otherwise limited.

3. The parties propose that non-expert discovery shall be completed by March 29, 2024.

#### **D. Expert Disclosures**

It is not clear if expert discovery is necessary with regards to the Plaintiff's allegations. The following are additional proposed cut-off dates with respect to experts:

*Plaintiffs Expert Disclosures:* January 15, 2024.

*Defendants Expert Disclosures:* April 15, 2024.

The parties propose that expert discovery shall be completed by: June 28, 2024

#### **E. Contemplated Motions**

The Defendants anticipate bringing a motion for summary judgment regarding all claims raised against them. The parties propose that dispositive motions shall be briefed, filed, and served on or before July 19, 2024.

#### **F. Request for Jury Trial**

The parties request a jury trial.

#### **G. Estimated Length of Trial**

The parties estimate that the length of trial will be 4 days.

#### **H. Possibility of Settlement**

The parties have not engaged in settlement discussion prior to the filing of this lawsuit.

### **I. Discovery Limitations**

The parties agree that the timing, extent, and limitations on discovery shall be those set forth in the Federal Rules of Civil Procedure and the Court's local rules, and by the Court's customary Scheduling Order. The parties reserve the right to seek relief from the Civil L.R. 33(a)(1) limitation of 25 interrogatories, the FRCP 30(d)(1) limitation of 1 day of 7 hours for the duration of depositions, and the 10-deposition limit per party set forth in FRCP 30(a)(2)(A)(i) and FRCP 31(a)(2)(A)(1), if necessary.

The parties agree that discovery requests (including deposition notices) and responses may be served by electronic means and that documents will be produced electronically whenever possible. Documents that exist in electronic form should be produced in their native formats, or in the .pdf format.

### **J. Electronically Stored Information**

All relevant and accessible electronically stored information will be preserved for future use in this matter in its original form. Additionally, any electronic discovery exchanged will be produced in .pdf format where feasible or some other format that facilitates meaningful use of the information. The parties reserve the right to request particular documents in native format at a later time. All requests for electronic discovery and/or for the production of electronically stored information in a format other than a .pdf will be governed by the proportionality standard set forth in Rule 26(b)(2)(C).

### **K. Claims of Privilege and Work Product**

The parties agree that the inadvertent production or disclosure of privileged or otherwise protected materials shall not be deemed a waiver or impairment per se of any claim of privilege or protection.

The parties agree that communications between a party and its trial counsel do not need to be included on any privilege log provided pursuant to Rule 26(b)(5). The parties further agree that other communications and documents generated after commencement of this litigation, if privileged or protected as work product, do not need to be included on any privilege log provided pursuant to Rule 26(b)(5).

The parties will conduct discovery in good faith and will attempt to resolve any discovery-related dispute without intervention from the Court. Parties will seek entry of a Protective Order from the Court if it intends not to produce any unprivileged and discoverable information for purpose of facilitating efficient discovery of confidential and/or sensitive information.

At this time, the parties do not anticipate any other orders that the court should issue under FRCP 26(c) or under FRCP 16(b) and (c).

The parties have discussed all matters addressed in this joint submission.

Dated at Milwaukee, Wisconsin this September 26, 2023.

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